Today's Copyright Laws for Education

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Copyright is something that is very tricky to understand, especially as an educator. There are many changes that have occurred in the past decade to help with the distance learning and education as a whole. Teachers don’t have to be in fear of what they are presenting to students, because the law now states “are legal under fair use, defined as the right to use copyrighted material without permission or payment when the benefit to society outweighs the cost of the copyright owner” (Unknown, 2008).

The copyright law was first put into effect in 1978. This law was very discriminating when it came to distant learning and education. “It granted face-to-face instructors unfettered rights to use any and all copyrighted materials without permission. DE classrooms, however, could feature only displays (still images such as slides or video frames), non-dramatic literary or musical works (textbook pages, poetry, symphony or pop music), and nonsequential materials” (Dahl, 2004).

In 2002, the U.S. Congress passed the TEACH Act. TEACH stands for technology, education, and copyright harmonization. There are five ways in which the act has changed to better suit education. First, the Act “allows use of reasonable and limited portions of copyrighted audiovisual and dramatic musical performances (such as audio/video clips). Second, it allows students to access DE course materials from any PC at any location. It, also, allows digitizing portions of analog materials without first obtaining permission, if those materials are only available in analog format. Next, it legalizes cached copies of materials. Finally, it allows storage of copyrighted materials on servers. Students can view materials at their convenience; before, even if an instructor obtained copyright permission, the materials could only be shown once” (Dahl, 2004).

In order for schools to be able to use copyrighted material without written permission, institutions, technology, and educators have policies that they have to follow. Institutions “must be accredited; it must have a copyright policy in place and inform staff, faculty and students about the policy; and it must verify that copyrighted materials are made available only to students enrolled in the affected course. DE technology must ensure that transmissions are limited to enrolled students; that transmissions are not disseminated further (e.g. students must be dissuaded from downloading and sharing copies); and that transmissions are not retained beyond the class session. Instructors must direct and supervise all performances and displays; must ensure that a copyright notice appears on materials used (e.g. at the beginning of a video clip); that materials are legally acquired (e.g. video clips can’t be copied from TV); and that transmitted materials are an integral part of the course, included for educational and not entertainment purposes” (Dahl, 2004).

There are restrictions that educators have to follow. The following things are prohibited from: “Scanning or uploading complete or long works, Storing works on open Web sites

(no login/password), and Allowing student access at will (e.g., supplemental material, or material with no specific, limited time frame)” (Simpson, 2005). Institutions and administers need to keep up with the changing times and make sure that teachers are doing what is within the limit of the law.

Business and individuals have the right to keep their valuable work to themselves. It is to our benefit that they let us use the ideas and materials that they produce. Copyright is here for a reason and we have to respect the laws that govern it. Technology has changed many ways in which we learn, so it is nice to have the acts change with it.

Bibliography

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